

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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AISHA POPE,

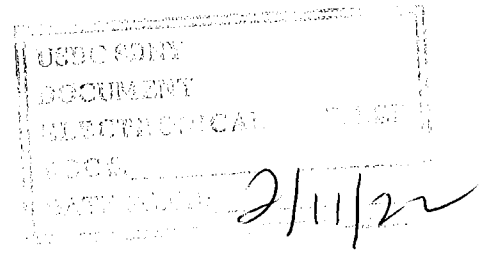
Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,
Defendant.
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ORDER

21 CV 8986 (VB)



On November 2, 2021, plaintiff commenced this social security appeal. (Doc. #1).

More than ninety days have elapsed since the complaint was filed. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure: "If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against the defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

Pursuant to Rule 4(m), plaintiff had until January 31, 2022, to serve the defendant. However, the docket does not reflect that the defendant has been served.

Accordingly, pursuant to Rule 4(m), this action will be dismissed without prejudice unless, on or before **February 25, 2022**, plaintiff either: (i) files on the ECF docket proof of service, indicating the defendant was served on or before January 31, 2022; or (ii) shows good cause in writing for her failure to comply with Rule 4(m).

Dated: February 11, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti".

Vincent L. Briccetti
United States District Judge